IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.

INCOME TAX APPEAL NO. 505 OF 2002

The Commissioner of Income Tax,
Mumbai City 29, Mumbai .. Appellant

v/s.

Shri Milind M. Vagal .. Respondent

Mr.R.Asokan i/by Mr.H.D.Rathod for appellant.

CORAM : R.M.LODHA AND
J.P.DEVADHAR, JJ.

DATED : 24th August, 2004

P.C.

The learned counsel for the revenue submits that the controversy raised in the appeal is decided against the revenue by the Division Bench judgment of this court in the case of Cadell Weaving Mill Co.P.Ltd. v. Commissioner of Income Tax and anr., 249 ITR 265, but the said judgment is under challenge before the Supreme Court.

2. In so far as we are concerned, the controversy stands concluded by the Division Bench judgment of this court and therefore, the appeal does not deserve to be admitted.

3. Dismissed in limine.

(R.M.LODHA, J.)

(J.P. DEVADHAR, J.)